IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 514 OF 2007

Ms. Cecelia Lisboa .... Petitioner

V/s

1. the Director of Panchayats & Ors. .... Respondents.

Ms. M. Conception, Advocate for the Petitioner.
Mr. S.S. Kantak, Advocate General with Mr. Guru Shirodkar, Addl. Govt. Advocate for the Respondent No. 1 and 2.
Mr. R. Menezes, Advocate for Respondent No.3.

Coram : D.B. BHOSALE &

N.A. BRITTO, JJ.

Date : 26th November, 2007.

ORAL ORDER :

Heard learned Counsel for the parties.

2. By this Writ Petition, the Petitioner has prayed for direction to the Respondents to demolish illegal structure in Survey No. 25/6 of the Village Assagao. It appears that in pursuance of the directions issued by this Court vide order dated 25/10/2007, the Director of Panchayat inspected the said structure and submitted his report. From perusal of the report it is clear that the structure belonging to Shri Audumber Sirsaikar is unauthorized and he has made representation to the Gram Panchayat for its regularization. However, the Panchayat has not issued any order on the representation since 'No objection Certificate' from the concerned department has not been received/submitted by Audumber Sirsaikar.

3. We do not wish to examine the merits of the case and express any

opinion at this stage. The learned Counsel for the parties have agreed for disposal of this petition by the following order:

> Gram Panchayat shall pass appropriate orders on the representation made by Audumber Sirsaikar, seeking regularization of the structure on merits in accordance with law as expeditiously as possible and preferably within a period of twelve weeks from the date of receipt of this order, after giving an opportunity of being heard to Audumber Sirsaikar so also to the Petitioner.

4. Learned Counsel for the Panchayat to communicate this order to the Panchayat within ten days from today.

5. With these observations, the Writ Petition is disposed off.

D.B. BHOSALE, J.

N.A. BRITTO, J.

NH/-